

OVERVIEW

Adoption records must be released upon application by an adopted Indian person over the age of 18 years, who was the subject of an adoptive placement, and was a ward of the state. The Michigan Department of Health and Human Services (MDHHS) and/or court of jurisdiction must provide information to the applicant regarding the tribal affiliation, if any, of the Indian person's biological parent(s) and such other information as may be necessary to protect any rights flowing from the Indian individual's tribal relationship; see SRM 131, Confidentiality - Adoption.

Upon the request of an adopted person over age 18, the adoptive parents or foster care parents, an Indian tribe, or the Secretary of Interior shall disclose such information as may be necessary for the enrollment of the Indian child in the tribe in which the child may be eligible or for determining any rights or benefits associated with membership.

LEGAL BASIS

Adoption and Safe Families Act, 42 USC 601 et seq.

Indian Child Welfare Act, 25 USC 1901 et seq.

Michigan Indian Family Preservation Act, MCL 712B. 1 - 41.